

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1763

IN THE MATTER OF:

Served October 26, 1977

Application of ROBERT EARL GRAHAM)
for Temporary Authority to Conduct)
Special Operations)

Application No. 1013

By Application No. 1013, filed September 9, 1977, Robert Earl Graham seeks temporary authority to transport those handicapped persons who are clients of D. C. Medicaid, in special operations, between medical facilities in the Metropolitan District. Applicant has previously sought a corresponding certificate of public convenience and necessity. 1/ In support of his proposal, applicant alleges generally that there is an urgent need for his service.

Title II, Article XII, Section 4(d)(3) of the Compact provides that the Commission may grant temporary authority, in its discretion and without hearings or other proceedings, where it appears (a) that there is an immediate and urgent need for service and (b) that there is no carrier service capable of meeting such need. We find that applicant has failed to meet either statutory criterion.

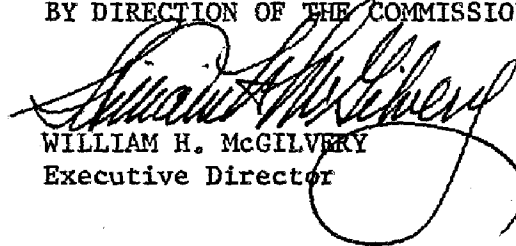
Evidence before the Commission as of the date on which Application No. 1013 was filed indicates that numerous carriers have been providing the subject transportation service including Ironsides Medical Transportation Corporation (Certificate No. 31) and Rehab Transportation, Inc. (Certificate No. 30). 2/ While it is true that a majority of the carriers currently providing service have been doing so without appropriate authority from this Commission, due to unusual circumstances as described in Order No. 1749, we have recently authorized the issuance of certificates of public convenience and necessity to 10 of these carriers. In so doing, we believe that the need for service by authorized carriers has been met. For these reasons, Application No. 1013 shall be denied.

1/ See Application No. 991, denied by Order No. 1749, served September 16, 1977. Said application and order are incorporated by reference herein.

2/ By Order No. 1717, served June 23, 1977, Conval Port Medivan, Inc., was granted temporary approval to operate Certificate No. 30.

THEREFORE, IT IS ORDERED that Application No. 1013 of Robert Earl Graham be, and it is hereby, denied.

BY DIRECTION OF THE COMMISSION:

A large, stylized handwritten signature in dark ink, which appears to read "William H. McGilvery". The signature is written over the typed name and title.

WILLIAM H. MCGILVERY
Executive Director